



Legislation 2003: Court Seeks to Revive Bills From 2002 Session

At its last administrative conference the Iowa Supreme Court decided to continue to pursue many of the legislative changes it had recommended last year.

Among other things, the Court will continue to support streamlining measures to assist clerks of court, administrative improvements, and the creation of a new process for reviewing the structure of the judicial districts.

The proposal concerning the structure of the judicial districts is not a plan for reorganization, but a process. The proposal would require the Supreme Court to review the number and composition of the judicial districts and judicial election districts every ten years. The court could submit a reorganization plan to the legislature, which would be drafted into bill form. The legislature would be required to vote on the bill under a procedure or rule permitting no amendments to the plan except those of a purely corrective nature. The bill would take effect upon approval of the legislature and the Governor. Last session, Senate approved this proposal — Senate File 2267. The House Judiciary Committee also approved the bill (with an amendment), but the House never debated it.

Many, but not all, of the other changes approved by the Supreme Court for its 2003 legislative package were included in Senate File 2283 last session. The changes approved by the Court for its 2003 legislative package include the following:

- Permits the chief justice to temporarily delay the notification that triggers the judicial nominating process for budgetary reasons.
- Amends Chapter 46 to prohibit a judicial nominating commissioner from voting for the nomination of a family member, law partner, or current or former business partner.
- Permits magistrates and judges to review medical reports and give directions using telephone or facsimile in emergency mental health or substance abuse commitment proceedings.
- Provides all judges and magistrates with authority to hear mental health proceedings involving juveniles.
- Requires a 14-day deadline on a judge's hearings and findings on appeal of a hospitalization referee's order.

Contents

Legislation 2003	1
Interpreter Services	4
Domestic Abuse Grant	5
Tech Progress Report	7
New Faces	8
Advisory Committees	9
Planning Priorities	11
Code of Conduct	13
Benefits Update	14

Continued on page 2

Legislation 2003

Continued from page 1

- Clarifies that the county sheriff is responsible for serving summons, subpoenas, and notices in juvenile delinquency proceedings.
- Eliminates the participation of the foster care review board in delinquency proceedings and voluntary foster care placements.
- Removes the courts from the procedure for approving medical care for indigents. Shifts the responsibilities to the county general assistance director and the board of supervisors.
- Waives filing fees and court costs for contempt actions arising out of violations of no contact orders.
- Amends the statute that requires the clerk to dismiss a proof of insurance charge if the person charged shows proof to the clerk within thirty days of the charge. Requires proof to be shown prior to the date of the person's court appearance.
- Relieves the clerk of the duty of reviewing vehicle lease and rental agreements to determine if the appropriate party has been charged with unlawful parking. Shifts the duty to the county attorney.
- Requires the county medical examiner, not the clerk, to dispose of property belonging to a deceased person.
- Requires the clerk in a county where a modification of dissolution decree is filed to notify the clerk in the county where the original decree was filed (if in a different county). The costs are to be taxed as court costs.
- Provides that the chief judge of the district, not the majority of judges, is responsible for hiring a chief juvenile court officer.
- Eliminates the position of alternate district associate judge.
- Requires litigants to provide their date of birth as an additional means for personal identification for court record. Expands the jurisdiction of magistrates to include emergency proceedings under Chapter 236 (domestic abuse) and expands the jurisdiction of non-lawyer magistrates to include cases under Chapters 125 (substance abuse) and 229 (mental health).
- Permits clerks to enter a satisfaction of judgment even though there remains \$3 or less unpaid. Does not require the clerk to refund amounts of \$3 or less, unless the clerk receives a written request to do so.
- Creates two, rather than four, levels of fines/filing fees for simple misdemeanor cases: \$8 for parking violations and \$17 for all other simple misdemeanors. The change would be fiscally neutral.

Continued on page 3

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Legislation 2003

Continued from page 2

- Eliminates redundant notices in defaults in small claims cases.
- Creates a flat fee (\$8) for postage for serving small claims petitions.
- Requires that certain probate fees be paid directly by the estate rather than having them taxed as costs.
- Eliminates and clarifies certain duties of clerks pertaining to title of deed. Clarifies the rate of interest on civil judgments under Chapter 668.
- Permits the clerk to deliver by regular mail, the court's final order from a reconsideration of sentence hearing.
- Updates Section 907.4 regarding access to the deferred judgment docket and allows the Department of Corrections to have access to the

docket.

Last session the Senate Judiciary Committee approved Senate File 2283, but the Senate did not debate the bill.

Most of the proposals in Senate File 2283 came from court employees and judges. The clerk's association suggested nearly all of the amendments that affect the duties of clerks of court. Other amendments are from juvenile court officers, district administrators, and judges.

The court also approved some amendments to Iowa Code section 232.133 regarding expedited appeals in child in need of assistance (CINA) cases.



The court will consider more proposals for its 2003 legislative program when it meets in November.

*All of the proposals mentioned above have been summarized for the sake of keeping this article brief. Please consult the bills for more

Iowa Judicial Institute

A record 39 judges attended the Iowa Judicial Institute at the University of Iowa College of Law, August 14-16. The program included a variety of topics and speakers including: four Iowa judges, three federal judges, five law professors, five attorneys, a psychologist, a professor of business, and a court administrator.

Among the topics discussed at the IJI were: civil and criminal impact decisions, employment law, judicial review under the Iowa Administrative Procedures Act, debt collection law and bankruptcy, ethical issues in settlement, mediation, trial management and ex parte communications, international law, nonprofit corpora-

tions, developmentally appropriate visitation, personal finance, lustful disposition evidence, and court administration.

Court Takes Steps to Improve Interpreter Services

The Iowa Supreme Court recently announced that it has approved a number of steps to ensure high quality language interpretation services for litigants who are not fluent in English.

The steps were recommended to the Court by its Advisory Committee on Court Interpreter Policies to address concerns about the quality of language interpreters. According to the Committee's report, which was submitted to the Court last year, "With an increasing number of court cases that require interpreters, the judicial branch faces a challenge to ensure that non-English speaking litigants obtain high quality interpretation services." For a copy of the Committee's report, visit www.judicial.state.ia.us/orders/reports.

Because of current budget constraints the Court did not adopt all of the Committee's recommendations, only those that could be accomplished at minimal cost to the state. The recommendations approved by the Court include:

- Adopting a code of professional conduct for court interpreters, developing a multi-choice test concerning the code of conduct, and conducting exams in cooperation with the Bureau of Refugee Affairs;

- Implementing a statewide roster of court interpreters, which would be available online for court personnel;

- Adopting standardized application forms, an oath, and screening questions for interpreters;

- Joining a national consortium for interpreter certification;

- Educating judges, court staff, and attorneys about immigration-related issues and cultural differences;

- Adopting uniform procedures for scheduling interpreters for court proceedings;

- Adopting court rules to require warnings to defendants that, if they are not U.S. citizens, conviction of a crime might adversely affect their immigration status;

- Planning for a future certification exam for Spanish language interpreters.

Although there is no timetable for full implementation of these steps, court officials will begin working on them immediately.

"To effectively participate in court proceedings, litigants who do not speak English must have high quality interpreter services," said Chief Justice Louis Lavorato of the Iowa Supreme Court. "The steps approved

by the Court will help safeguard the rights of those litigants."

Added Chief Justice Lavorato, "On behalf of the Court, I want to commend the members of the Committee for the time and energy they devoted to this important issue. The Committee's report reflects the members' commitment to the principle that the courts must provide the same quality of justice to all people, regardless of the language they speak."

The Court Interpreter Policies Advisory Committee included the following members:

Hon. Richard Vipond, Denison (chairman)
Kathryn Baumann-Reese, Des Moines
James Benzoni, Des Moines
Victoria Dominquez, Iowa City
Hon. Mary Lou Freeman, Des Moines
Jackie Harrison, Waterloo
Sylvia Kreamalmyer, Burlington
Guadaloupe McCarney, Des Moines
Hon. Jay Meldrum, Council Bluffs
John Messina, Des Moines
Hon. Karen Romano, Des Moines
Elizabeth Salinas Newby, Des Moines
William Snyder, Des Moines
Carroll Edmondson, Cedar Rapids
Hon. James Weaver, Muscatine
John Wilken, Des Moines
Ta-Yu Yang, Des Moines

Judicial Branch Awarded Domestic Violence Technology Grant

by Jennifer Juhler

The U.S. Office of Justice Programs recently awarded the Iowa Judicial Branch a grant for \$549,445. Funds will be used to develop and implement technology projects that are related to domestic abuse and/or sexual assault. The award will cover a two-year period beginning October 1, 2002. The Court Technology Infrastructure Project (CTIP) consists of three components: creation of an offender-based information system for judges available statewide; creation of web-based training for judges; and development of comprehensive statistics for domestic abuse and sexual assault cases.

Jennifer Juhler, Domestic Abuse Coordinator with State Court Administration, will coordinate the grant project. One judge and one magistrate will be appointed from each judicial district to oversee the development and implementation of CTIP. Collaborative partners include the Iowa Coalition Against Domestic Violence, the State Public Defender's Office, the Attorney General's Office; the Department of Corrections' Batterers Education Program, Legal

Services Corporation of Iowa, and the Iowa State Bar Association's Juvenile and Family Law Section.

The offender-based information system will enhance the Criminal Justice Information Network (CJIN) to contain statewide information on criminal, civil and juvenile records, warrants, criminal histories, and protective orders. The system will be made available to all judges and magistrates.

Web training will enhance current efforts to develop domestic abuse training for criminal cases beyond simple misdemeanors; will create a course on custody and visitation when domestic abuse is an issue; and will create training geared toward juvenile court decision-making when domestic abuse is a contributing factor to delinquency or child in need of assistance cases.

Detailed domestic abuse and sexual assault statistics will be added to the current statistical programs available from ICIS. The purpose of the statistics will be for policy analysis rather than case processing and will be available to the public.



Jennifer Juhler is Domestic Abuse Coordinator for the Iowa Judicial Branch.

Child Welfare Program

On August 8, 2002, the Iowa Judicial Branch hosted an educational program on *Infant and Toddler Well Being: Best Practices in Abuse, Neglect and Dependency Training*. The training program was sponsored by the National Council of Juvenile and Family Court Judges, Permanency Planning for Children Department. The Iowa Court Improvement Project provided funding for travel expenses. Approximately 100 judges, attorneys, court-appointed special advocates (CASAs) and other child welfare professionals attended the program. The program received high ratings from attendees.

Among the topics discussed at the program were: Promoting the Healthy Development of Infants and Toddlers in Juvenile Court, The Science of Early Childhood Development:

Imperative Interventions, and The Impact of ASFA and Reasonable Efforts on Infant and Toddler Mental Health Strategies. Lectures were supplemented by roundtable and team discussion sessions on identifying “burning issues” implementing policies and procedures to enhance the welfare of young children.

The National Council provided a faculty of nationally recognized experts and a wealth of materials. The faculty included: Judge Cindy Lederman, presiding judge, Miami-Dade County Juvenile Court, Florida; Judge Richard Fitzgerald, senior judge, Commonwealth of Kentucky; Dr. Joy Osofsky, a psychologist, psychoanalyst, and professor of Public Health and Psychiatry at Louisiana State University Health Science Center in New Orleans; and Dr. Vicky Youcha, Ed. D., director,

Leadership Development Initiative at Zero to Three and former director of George Washington University’s Early Childhood Special Education Master’s Degree Program.

Osofsky and Youcha have authored texts on early childhood development, infant mental health, and the effects of violence exposure. Judge Fitzgerald, recipient of numerous honors and awards, has lectured widely, served on many boards and commissions on child welfare, and coauthored a book on Juvenile Practice. Judge Lederman was a leader of the team that created the Dade County Domestic Violence Court and served as the court’s first administrative judge. She started a project on Judicial Decision Making to Ensure Permanency Planning for Substance Exposed Newborns, funded by the State Justice Institute.

Associate Juvenile Judge Connie Cohen, Des Moines, assisted in coordinating the training program and served as moderator.



Judge Richard Fitzgerald, Dr. Vicky Youcha, Dr. Joy Osofsky, Judge Cindy Lederman.

Technology Progress Report

The Iowa Judicial Branch continues to make progress with the help of technology. But of course, new technology brings with it new problems.

SPAM: "Hated It"

In recent months Judicial Branch e-mail users have been plagued with SPAM — unsolicited e-mail messages from strangers, often advertisements. There have even been some reports of SPAM from pornography sites, but this reporter has not been able to verify the accuracy of this report. The technology office is trying new SPAM control software, which has significantly reduced, but not eliminated, all, SPAM.

Iowa Hub Directory

The state's Hub service has been used to provide e-mail addresses for state employees and officials in the other branches of government. The service is expensive. It has cost the Judicial Branch about \$4000 a month and the price is likely to increase.

The Judicial Branch's technology office recently conducted an informal survey that shows the Hub is of little value to the Judicial Branch — judges and court staff rarely use it. Conse-

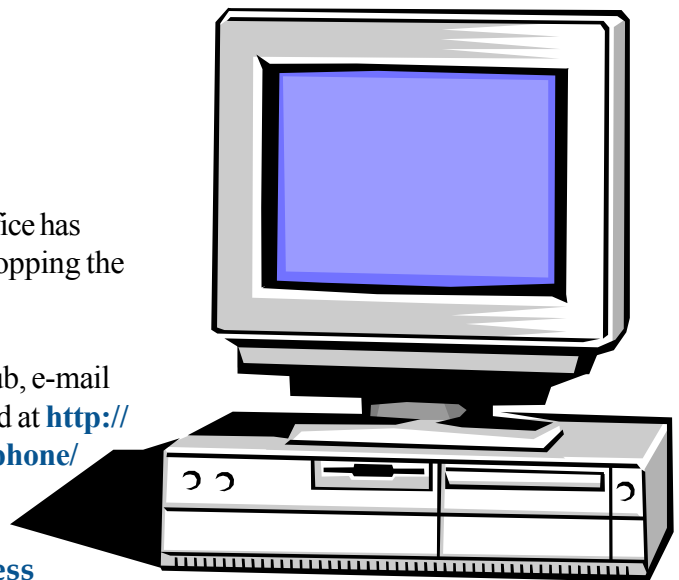
quently, the technology office has decided to cut costs by dropping the service.

As an alternative to the Hub, e-mail addresses may be obtained at <http://www.icn.state.ia.us/telephone/teleindex.htm>.

Electronic Public Access

Earlier this year, the Iowa Judicial Branch began providing the public with free online access to basic court docket information. Last month, the judicial branch added a new online feature; more detailed court information for a \$25 monthly fee. Several hundred users have subscribed to the service, which offers access to information such as warrants, judgments, liens, and court schedules. Registration must be done online and credit cards are the only method of payment.

Before the end of the year, the judicial branch will add another online service — e-pay — that will enable online payment of traffic fines and court fees. The technology office expects to start this service next month.



Deferred Judgment Docket

In the near future, the judicial branch will begin offering secured online access to the state's deferred judgment docket. Access will be open to authorized officials only, including judges, clerks, and county attorneys.

New Faces

Supreme Court: **Bill Miller**, *Des Moines*, Law Clerk; **Abbe Stensland**, *Des Moines*, Appellate Court Clerk.

ICIS: **Vanessa Miller**, *Burlington*, **Lonnie Huffaker**, *Des Moines*, Info System Specialists.

District 1: **Kimberly Youngblut**, *Waterloo*, JCS Secretary; **Gary Cooney**, *Waterloo*, Court Attendant.

District 3: **Marchia Lundquist**, *Primghar*, **Sally Fastert**, *Rock Rapids*, Judicial Clerks.

District 4: **Laura Wright**, *Council Bluffs*, **Teresa Mace**, *Council Bluffs*, Judicial Clerks.

District 5: **Thomas Murphy**, *Osceola*, Magistrate Judge; **Laura Routier**, *Newton*, **Rhonda Wolf**, *Des Moines*, **Sharon Schafnitz**, *Des Moines*, **Diana Jensen**, *Des Moines*, **Catherine Brandt**, *Des*

Moines, **Amy Stewart**, *Des Moines*, Judicial Clerks; **Leslie Shumate**, *Des Moines*, Asst. DCA; **Marilyn Lantz**, *Des Moines*, Chief JCO; **Carol Escovedo**, *Des Moines*, Judicial Assistant; **Kristin Jahn**, *Des Moines*, Court Attendant; **Cathie Hullinger**, *Leon*, Judicial Clerk.

District 6: **Ronda Ogreen**, *Cedar Rapids*, Judicial Clerk; **Denver Dillard**, *Cedar Rapids*, District Court Judge; **Kay Carr**, *Cedar Rapids*, Court Reporter; **Erin Altheide**, *Iowa City*, Juv Ct. Officer.

Milestones: Service Anniversaries

25 Years

Debra Littlejohn, Judicial Clerk, *Wapello County*.

Juanita Baily, Judicial Clerk, *Marshall County*.

Virginia Pusateri, Judicial Clerk, *Linn County*.

Lynn Watson, Juvenile Court Officer, *Woodbury County*.

Roberta Brown, Judicial Clerk, *Linn County*.

Katherine Langlas, Magistrate, *Black Hawk County*.

30 Years

Roger Downs, Juvenile Court Officer *Winneshiek County*;

Cathie Knorr, Judicial Clerk, *Appanoose County*.

Judicial Branch Advisory Committees: Update

by John Goerd

Compelled to slash its budget in every component of its operations during FY 2002, the Judicial Branch endured one of the most difficult fiscal years in decades. With staff reductions in every area of its operations, but especially in rural clerks' offices, the Iowa court system has struggled to continue to provide high quality of court services. Judges and staff are doing a remarkable job under difficult circumstances. Unfortunately, most experts believe that state revenues are not likely to grow much in the coming year.

Knowing the judicial branch will continue to face significant budget constraints for many months and possibly the next few years, the Supreme Court created several advisory groups to assist the court system in developing and implementing strategies to operate as efficiently and effectively as possible under the existing financial conditions, and into the future. The article is a report on the progress of the groups to date.

Clerks Office Management Advisory Committee

This committee includes 16 members, mostly clerks of district court, and is co-chaired by Vicki Krohn, Clerk of Court for Shelby County, and Deb Dice, District Court Administrator for District 8 (a former clerk of court in Iowa and Colorado). The group met for the first time in August and gener-

ated many ideas for streamlining business practices, streamlining records management, and possibly eliminating various statutory and non-statutory duties to lighten clerks' workloads. Three subcommittees were formed, one on each of these issues. The full committee will meet again in November. The committee will submit periodic reports to the Supreme Court and produce a final report and recommendations by the end of May 2003.

Clerks Staffing Formula Advisory Committee

Co-chaired by Lodema Berkley, Clerk of Court in Johnson County, and Chief Judge Charles Smith (District 4), this 16-member committee will propose a strategy for updating the current district court clerks' staffing formula, which was developed in 1994. The committee has met twice and consulted with staff at the office of Criminal and Juvenile Justice Planning regarding the design of a possible work-time study. The committee plans to complete its work and submit a final report by June 2003.

Juvenile Court Services Advisory Committee

Co-chaired by Associate Juvenile Judge Alan Allbee (District 1) and Candice Bennett, Chief Juvenile Court Officer (District 6), this 16-member committee met for the first time in September to begin addressing

the following objectives: 1) review JCS casework practices and programs across the state and recommend ways to improve uniformity and efficiency in those practices and programs; 2) examine and recommend changes, as appropriate, in staffing formulas for juvenile court officers, supervisors, and staff; and 3) recommend whether the juvenile restitution program should continue in its current form, be modified, or ended. The group formed three subcommittees: staffing formulas, casework practices and procedures, and juvenile programs. The committee will meet again in November. A final report to the Supreme Court is due at the end of May 2003.

Trial Judges Forum

The Supreme Court established the forum to give trial judges an opportunity to identify and prioritize the resources they need to carry out their duties. The Court requested that the group recommend ways to improve the allocation of existing resources and strategies to streamline practices and procedures to ensure the effective delivery of court services. The Forum, which includes 27 district judges, 12 district associate judges, and 8 magistrates selected by their peers, elected Judge John Scoles,

Continued on page 10

Advisory Committees Update

Continued from page 9

Assistant Chief Judge of the Second District, as chair. The group met October 3 and plans to meet again October 30. The group plans to submit its report to the Supreme Court in December.

Judicial Branch Redistricting Advisory Committee

The number and boundaries of Iowa's judicial districts has not changed since 1972. With the passage of time, some of the key factors considered by the General Assembly in establishing the judicial districts may have changed in ways that detract from the continuing utility of the existing district structure. For example, there has been a significant shift in the state's population and caseload. From 1970 to 2000, the state's population grew by just 3.6 percent. Notwithstanding this overall growth, sixty-seven counties lost population. In contrast, the population grew by more than 15 percent in 11 counties. This substantial shift in population has contributed in part to a disproportionate allocation of judicial resources in the state. A recent study of the judicial workload in Iowa's district courts conducted by the National Center for State Courts (NCSC) suggests that some judicial election districts have more judicial resources than are needed, while others have less judicial resources than needed. The Supreme Court believes changing the number and boundaries of the judicial districts may

be a key step in shaping a solution to this problem.

The Supreme Court established the Advisory Committee on Judicial Branch Redistricting to recommend a plan for reducing the number of judicial districts and realigning the judicial election districts. The Court appointed Chief Judge David Remley (6th District) and Des Moines businessman David Oman as co-chairs of the committee. The 25-member committee includes judges, court staff, attorneys, state legislators, county officials, and representatives from the Department of Corrections and Department of Human Services.

The committee met in September and October, and it expects to meet at least two more times this fall. After the committee drafts one or more models for new judicial districts, it will conduct a series of at least three public hearings across the state, with ICN links to additional regions at each hearing, to facilitate public discussion and feedback. The committee will submit a final report in December that will include a proposed model for six or fewer judicial districts including judicial election districts within each district. After it receives the Committee's report, the Supreme Court will consider whether to recommend the plan to the General Assembly for adoption during the upcoming legislative session.



John Goerd, Judicial Branch Planner

Update on the Supreme Court's Strategic Planning Priorities for FY 2003

With so many advisory groups appointed by the Supreme Court in the past few months, people might be asking, "Where is the court trying to lead the Iowa court system?" In response you can tell them the Court is guided by *Charting the Future of Iowa's Courts*, the 1996 report by the Supreme Court's Commission on Planning for the 21st Century.

Since 1998, members of the court have met for a day or more each summer to consider the recommendations in that report, establish priorities, and develop general plans for initiatives to address as many of the 89 recommendations as possible. In fact, in the past five years the judicial branch has accomplished many of the objectives set forth by the Commission. Continuing to rely on the Commission's report for guidance, the Supreme Court met this summer to discuss long-range planning issues and determined that the following four recommendations or initiatives would be priorities for FY 2003:

Participatory Management and Administrative Council.

During the past year or more the judicial branch—at both the state and district levels—has had to make very difficult decisions about how to meet the challenges of substantial budget reductions. In an effort to obtain more broadly based input into development of management practices, the court decided to launch a wide-

ranging effort to solicit input from staff and judges. The court appointed four advisory groups to address issues of concern to district court clerks, juvenile court services, and trial judges (*See* article on Page 9). Later in the year the court also plans to initiate an advisory group on district court administration.

Consistent with the desire to ensure more broadly-based input into the court administration process, *Charting the Future of Iowa's Courts* recommends that the judicial branch establish an Administration Council, including representation from all levels of the court system and lay persons. (*See* p. 68, recommendation 2.3) As envisioned by the Commission on Planning for the 21st Century, the Administration Council would advise the Supreme Court on general policy and provide guidance in the overall administration of the courts.

The Supreme Court is currently gathering more information on the types of advisory or governing groups that are used by other state court systems; the composition of these groups; their frequency of meeting; and the extent of their functions. The court has decided only to consider the proposal. It plans to seek input from the Judicial Council and other groups within and outside the judicial branch before making a final decision.

The Judicial Council, which currently serves a somewhat similar function,

includes all the chief judges of the eight districts and the Court of Appeals, plus the Chief Justice of the Supreme Court. Under the Commission's recommendation, the Judicial Council would continue to advise the Supreme Court on matters related to the adjudication process and matters (*See* p.66-67, recommendations 2.1 and 2.2, *Charting the Future of Iowa's Courts*).

Improve the quality of court interpreter services.

With a significant influx of non-English speaking people into the state over the past decade, our trial courts increasingly face questions about the quality of our court interpreters. There are currently no education or training requirements for verbal language interpreters in our courts, though there are rigorous training requirements for sign language interpreters. Last year the Supreme Court appointed a Court Interpreter Policies Advisory Group, chaired by Chief Judge Richard Vipond. The advisory group submitted a final report and recommendations last fall. (*See* the Iowa Judicial Branch web site at: www.judicial.state.ia.us/orders/reports)

Recently, the Supreme Court agreed to implement as many of the advisory group's recommendations as possible,

Continued on page 12

Planning Priorities

Continued from page 11

within the existing budget constraints (See article on page 9). John Goerd, Judicial Branch Planner, and Jerry Beatty, Director of Judicial Education, will coordinate these initiatives.

Improve education programs for judges and staff.

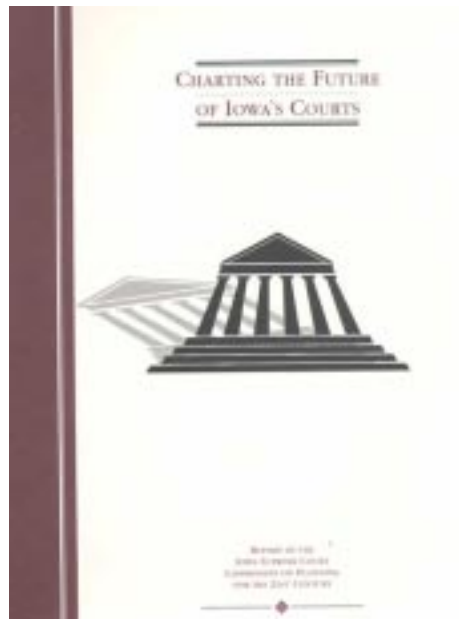
During most of 2002 and for the rest of this fiscal year there will be no state-funded judicial education programs or clerks' conferences due to the budget shortfall. The Supreme Court is committed to reinstating education programs and to expanding training opportunities for court support staff. The court wants our judges and staff to receive top-flight education and training opportunities, incorporating the latest strategies in adult education and long-distance learning technologies (e.g., ICN, internet, and video programs). To achieve this goal, the court has appointed a Judicial Branch Education Advisory Committee, which includes judges and court staff from around the state.

The committee has already met twice and will complete its proposals for court staff orientation and continuing education programs in the next few months. The first objective for this committee is to propose a comprehensive orientation and continuing education program for court support staff. The committee also will con-

sider and propose more innovative strategies for judicial education.

Establish a judicial branch planning council.

The Supreme Court's Commission on Planning for the 21st Century submit-



ted its recommendations almost seven years ago. The report has guided the Supreme Court's planning and court improvement efforts since then, and many of the 89 recommendations have been accomplished or addressed in some way. The court believes the commission made a valuable contribution toward improving the state court system and would like to institute a similar, but smaller, Judicial Branch Planning Council to reinvigorate the long-range planning effort. The council would include

judges, court staff, attorneys, county and state legislators, business people, and others. It would meet at least annually to provide feedback on current judicial branch improvement initiatives; to offer comments and suggestions on issues currently facing the courts; and to suggest ways that the court system might better prepare for the future. The council would be created sometime in 2003.

Comments: If readers have comments about any of these initiatives, please contact John Goerd, Judicial Branch Planner (john.Goerd@jb.state.ia.us).

Court Considers Changes to Code of Judicial Conduct

The Iowa Supreme Court is considering amendments to the Code of Judicial Conduct. The amendments, which were suggested by the Judicial Qualifications Commissions, would bring the Iowa Code closer to the 2000 ABA Model Code of Judicial Conduct. The Court is considering some of the following changes:

- Replace the word “should” with the word “shall” throughout the Code or in selected places involving prohibited conduct to give the Code a more heightened recognition of judicial responsibility.
- Combine canons 4, 5, and 6, into one canon 4 covering all extra-judicial activities.
- Amend canon 3(B)(7) to expand on practical exceptions to the prohibition against ex parte communications. The new exceptions would include where circumstances require ex parte communications such as emergencies, scheduling details, etc. This amendment is viewed as a matter of practical necessity.
- Amend canon 3(D) to expand on the process and requirements of judicial action when ethical improprieties are brought to a judge’s attention.
- Amend canon 3 to clarify certain communications with jurors. The amendment would prohibit a judge from commending or criticizing jurors for their verdict other than in a court order or opinion in a proceeding, but allow a judge to express appreciation to jurors for their service to the community and to the judicial system.
- Expand the groups against which biased or prejudicial comments shall not be used to include sexual orientation and socioeconomic status.
- Add the ABA Model Code Preamble or a modified version of the preamble.

DHS Reduces Amount of Paper Filings

The Iowa Department of Human Services recently announced that it has approved new procedures that will reduce the amount of paper filed with clerk of court offices. In an effort to cut costs and streamline workflow, the department has changed the way the child support recovery unit and bureau of

collections produces assignments and terminations of support when a family receives only Medicaid assistance (and not also FIP) from the state. According to Nancy Thoma, Chief, Bureau of Collections, the new procedure significantly reduced the number of assignment of support right

forms sent to the clerks of court. Ms. Thoma said that more improvements are ahead. If clerks have questions about the changes, they should contact their local child support recovery office.

Annual Enrollment and Change Period runs October 18 to November 18, 2002

by William Snyder, Director of Human Resources

Friday, October 18, 2002, starts the annual enrollment and change period for the state's insurance and benefit programs. The Iowa Department of Personnel will not be printing an employee benefits handbook for every employee this year. The handbook will be posted on IDOP's web site at www.state.ia.us/idop/BenefitsHome.html. It will also be posted on the Benefits Bulletin Board on Lotus Notes.

Highlights of Significant Changes

Secure Care of Iowa is terminating operations on December 31, 2002. United Healthcare will be absorbing Secure Care's members in the counties that United Healthcare serves. Carefully check the counties served by United Healthcare to determine if you need to select another health insurance provider.

John Deere Health is offering a new plan called John Deere Primary Care Select. This is a primary care managed plan that requires you to choose a primary care physician. John Deere will continue to offer its current open access plan that will be called John Deere Open Access Choice.

Health insurance premiums have increased an average of 15%. The following chart shows the employee share of the family premium for the various plans for full-time employees.

If you are a part-time employee, contact your personnel assistant for the new rates. Single plans continue to be fully paid by the Judicial Branch.

Family Health Insurance Monthly Premium – Your Portion	
Plan	AFSCME Judicial PPME
Judicial Non-Contract	
Program 3 Plus	\$242.90
Iowa Select (PPO)	\$173.44
Blue Advantage	\$0.00
Coventry Open Access	\$96.90
Coventry Primary Care	\$69.84
John Deere Open Access Choice	\$265.98
John Deere Primary Care Select	\$38.86
UnitedHealthcare	\$11.98

Family Dental insurance premiums for full-time employees are increasing as shown on the following chart. If you are a part-time employee contact your personnel assistant for the new rates.

Family Dental Insurance (Delta Dental) Monthly Premium – Your Portion	
PPME	AFSCME Judicial
Judicial Non-Contract \$30.02	\$29.10

The life and long-term disability insurance plan will be provided by The Prudential Insurance Company of America. Prudential replaces John Hancock as the life insurance carrier and The Hartford as the long-term disability carrier. Due to this change in carriers, there is a one-time open

enrollment for supplemental life insurance coverage. You have the opportunity to add to or increase your supplemental life insurance coverage

to the plan maximum (\$40,000) without providing evidence of insurability **unless** you previously applied for and were declined supplemental coverage.

If you previously opted out of the Premium Conversion (pre-tax) Program you can enroll during the

enrollment and change period by filing a pre-tax election form. If you were previously enrolled or opted out, your status will not change unless you file a change form.

If you wish to continue in the Dependent Care or Health Care Flexible Spending Account, you must make a new election during the enroll-

ment and change period.

To make changes to any of your benefits during this period, obtain the proper enrollment forms from your Personnel Assistant and return the complete, signed, and dated forms to that individual no later than November 18, 2002.